

TRADEMARK ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:

NEW ASSIGNMENT

NATURE OF CONVEYANCE:

ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Edmont P. D'Ascoli, Trustee of the Edmont P. D'Ascoli Revocable Living Trust Dated May 24, 1996		09/05/2007	TRUST: HAWAII

RECEIVING PARTY DATA

Name:	Seal Trademarks Pty Ltd
Street Address:	1 Billabong Place
City:	Burleigh Heads, Queensland
State/Country:	AUSTRALIA
Postal Code:	4220
Entity Type:	CORPORATION: AUSTRALIA

PROPERTY NUMBERS Total: 11

Property Type	Number	Word Mark
Registration Number:	2957141	EXCEL LITE
Registration Number:	2975385	XCEL PRO
Registration Number:	2977752	XCEL
Registration Number:	2836886	
Registration Number:	2825694	XCEL
Registration Number:	2948566	XCEL
Registration Number:	2345952	EXCELWEAR
Registration Number:	2217115	XCEL
Registration Number:	1965081	XCEL
Registration Number:	1622623	XCEL
Registration Number:	1292982	XCEL

CORRESPONDENCE DATA

900089167

TRADEMARK
REEL: 003638 FRAME: 0362

OP \$290.00 2957141

Fax Number: (808)540-5049

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 8085443835

Email: mhsia@cades.com, jmolloy@cades.com, msaito@cades.com,
edd@xcelwetsuits.com, lskipp@billabong.com.au

Correspondent Name: Martin E. Hsia 32,471

Address Line 1: 1000 Bishop Street, Suite 1200

Address Line 4: Honolulu, HAWAII 96813

DOMESTIC REPRESENTATIVE

Name: Martin E. Hsia 32,471

Address Line 1: 1000 Bishop Street, Suite 1200

Address Line 4: Honolulu, HAWAII 96813

NAME OF SUBMITTER:

Martin E. Hsia 32,471

Signature:

/Martin E. Hsia/

Date:

10/11/2007

Total Attachments: 5

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RECORDATION FORM COVER SHEET TRADEMARKS ONLY

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies):

EDMONT P. D'ASCOLI, Trustee of the EDMONT P.
D'ASCOLI REVOCABLE LIVING TRUST DATED
MAY 24, 1996

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☐ Corporation- State: _____
☒ Other Trust

Citizenship (see guidelines) Hawaii

Additional names of conveying parties attached? ☐ Yes ☒ No

3. Nature of conveyance /Execution Date(s) :

Execution Date(s) September 5, 2007

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached? ☐ Yes ☒ No

Name: SEAL TRADEMARKS PTY LTD

Internal

Address: _____

Street Address: 1 Billabong Place

City: Burleigh Heads

State: Queensland

Country: Australia Zip: 4220

- ☐ Association Citizenship _____
☐ General Partnership Citizenship _____
☐ Limited Partnership Citizenship _____
☒ Corporation Citizenship Australia
☐ Other _____ Citizenship _____

If assignee is not domiciled in the United States, a domestic
representative designation is attached: ☒ Yes ☐ No
(Designations must be a separate document from assignment)

4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2957141; 2975385; 2977752; 2836886; 2825694; 2948566;
2345952; 2217115; 1965081; 1622623; 1292982

Additional sheet(s) attached? ☐ Yes ☒ No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

5. Name & address of party to whom correspondence concerning document should be mailed:

Name: Martin E. Hsia 32.471

Internal Address: _____

Street Address: 1000 Bishop Street, 12th Floor

City: Honolulu

State: HI Zip: 96813

Phone Number: (808) 544-3835

Fax Number: (808) 540-5049

Email Address: mhsia@caes.com

6. Total number of applications and registrations involved:

11

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 290.00

- ☒ Authorized to be charged by credit card
☐ Authorized to be charged to deposit account
☐ Enclosed

8. Payment Information:

a. Credit Card Last 4 Numbers 4510
Expiration Date 10/09

b. Deposit Account Number _____

Authorized User Name _____

9. Signature:

Signature

Date

Martin E. Hsia

Name of Person Signing

Total number of pages including cover
sheet, attachments, and document: 5

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

ASSIGNMENT OF TRADEMARKS

WHEREAS, **EDMONT P. D'ASCOLI, an individual, and EDMONT P. D'ASCOLI, Trustee of the EDMONT P. D'ASCOLI REVOCABLE LIVING TRUST DATED MAY 24, 1996** (hereinafter collectively referred to as "Assignor"), having a principal place of business at 66-590 Kamehameha Highway, Haleiwa, Hawaii 96712, has adopted, used, is using and is to the best of its knowledge and belief, the owner of, the trademarks identified in the attached Schedule A (the "Marks"), registered or unregistered.

WHEREAS, **SEAL TRADEMARKS PTY LTD, an Australian corporation** (the "Assignee"), having a principal place of business at 1 Billabong Place, Burleigh Heads, Queensland, 4220, Australia, is desirous of acquiring the entire right, title and interest in and to the Marks and the registrations thereof;

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Assignor hereby assigns to Assignee, all right, title and interest in and to said Marks, together with the goodwill of the business symbolized by and associated with said Marks and registrations thereof, and the right to sue for past infringement, if any there may be.

The Assignor hereby authorizes and requests that such officials as are duly authorized by the laws of United States to register trademarks, to issue any and all certificates of registration of the Marks to the Assignee as the owner of the entire interest, for the sole use of the said Assignee, its permitted successors, assigns and legal representatives.

Assignor, by such execution of this Assignment, irrevocably constitutes and appoints the Assignee as Assignor's true and lawful attorney and agent, with full power and authority in Assignor's name, place and stead only to execute, acknowledge and deliver and to file or record in any appropriate public office any certificate or other instrument which may be necessary, desirable or appropriate to record the assignment of all or any part of the Marks to Assignee in accordance with the provisions of this Assignment. Notwithstanding the existence of this power of attorney, Assignor agrees to join in the execution, acknowledgment and delivery of the instruments referred to above if requested to do so by the Assignee. This power of attorney granted to the Assignee is a limited power of attorney that does not authorize the Assignee to act on behalf of Assignor except to execute the documents described in this paragraph.

IN WITNESS WHEREOF, the undersigned Assignor has executed this Assignment as of September 5, 2007, nunc pro tunc.



EDMONT P. D'ASCOLI, Trustee of the EDMONT
P. D'ASCOLI REVOCABLE LIVING TRUST
DATED MAY 24, 1996



EDMONT P. D'ASCOLI

SCHDULE A

Mark	Registration No.	Registration Date	Mark Type	Goods/Services	Class
EXCEL LITE (stylized)	2,957,141	05/31/2005	Trademark	Low calorie pre-sweetened powdered mix used in the preparation of soft drinks	32
XCEL PRO	2,975,385	07/26/2005	Service Mark	Arranging and conducting athletic competitions	41
XCEL	2,977,752	07/26/2005	Trademark	Life jackets	09
Three arrows forming a triangle	2,836,886	04/27/2004	Trademark	Wetsuits, swimwear, T-shirts, sweat shirts, sweat pants, jerseys, jackets, shirts, shorts, headwear, footwear, namely surf bootees and dive bootees, and gloves	25
XCEL	2,825,694	03/23/2004	Trademark	Canoe bags and canoe paddle bags	12
XCEL	2,948,566	05/10/2005	Trademark	Surfboard bags and bodyboard bags	28
EXCELWEAR	2,345,952	04/25/2000	Trademark	Outdoor clothing, namely, shirts, shorts	25
XCEL	2,217,115	01/12/1999	Service mark	Retail stores featuring wetsuits, swimsuits and watersport related goods	35
XCEL	1,965,081	04/02/1996	Trademark	Wetsuits, swimwear, T-shirts, sweat shirts, sweat pants, jerseys, jackets, shirts, shorts, headwear, footwear, namely surf bootees and dive bootees	25
XCEL (stylized)	1,622,623	11/13/1990	Trademark	Bathing suits and bicycling apparel, namely, shirts, tights, jackets, jerseys, shorts, hats	25
XCEL (stylized)	1,292,982	09/04/1984	Trademark	Wetsuits	25

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Commissioner of Patents and Trademarks
Mail Stop Assignment Recordation Services
P.O. Box 1450
Alexandria, VA 22313-1450

DESIGNATION OF DOMESTIC REPRESENTATIVE


Dear Sir:

SEAL TRADEMARKS PTY LTD, an Australia corporation, with its mailing address at 1 Billabong Place, Burleigh Heads, Queensland, 4220, Australia, the assignee named in the Assignment of Trademarks submitted concurrently herewith (the "Assignment"), hereby designates the person named below as its domestic representative upon whom all notices or process in proceedings affecting the registrations subject to the Assignment (identified in Schedule A attached hereto and made a part hereof) may be served:

Martin E. Hsia, Esq.
Cades Schutte LLP
1000 Bishop Street, 12th Floor
Honolulu, Hawaii 96813

Respectfully submitted,

SEAL TRADEMARKS PTY LTD

By 
Name: LESLEY ELLEN SKIPP
Title: IP MANAGER

SCHEDULE A

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